IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH JAIPUR

Order

S.B. CIVIL MISC. APPEAL NO.2978/2005
TARA SINGH V. CHETAN SINGH & OTHERS

DATE OF ORDER :::::: OCTOBER 18, 2006

PRESENT

HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Mr.V. Agrawal, for the appellant

This appeal arises out of the Award dated 13.07.2005 passed by the Judge, M.A.C.T. (Special Court-Dacoity Affected Area), Bharatpur in Claim Case No.153/2002 whereby an amount of Rs.30,000/- has been awarded to the claimant-appellant for the injuries sustained by him.

The facts of the case, in brief, are that on 22.4.2002,while the claimant was coming in a tractor bearing Registration No.RJ-05-1R-8644 taking stone for the house of Hari Singh, the tractor having reached near Dahra Mod, turned turtle, resulting in injuries to the claimant. The claimant filed the claim petition for awarding compensation amounting to Rs.18,87,000.00.

Submission of the learned counsel for the appellant is that there was fracture of tibia and fibula bone of right leg and the appellant suffered permanent disability for which disability certificate Ex.92 was

also filed.

I have heard learned counsel for the appellant and perused the impugned Award.

From a perusal of the Award passed by the Tribunal, it is clear that the percentage of disability suffered by the appellant has not been mentioned in the disability certificate Ex.92.

In the above facts and circumstances, I am of the view that the compensation of Rs.30,000/- awarded by the Tribunal is just, legal and proper and no interference is called for in this appeal.

The appeal is, therefore, dismissed.

(PREM SHANKER ASOPA),J.

GOPAL